

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.8123 OF 2023****ORDER:**

1. This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”) seeking regular bail to the petitioner/Accused in C.O.R.No.88 of 2023 on the file of Prohibition and Excise Station, Khammam-I, Khammam District, registered for the offence under Section 8(c) r/w. 20 (b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘the NPDS Act’).
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The petitioner was arrested by the Prohibition and Excise Station, Khammam. The Enforcement Personnel have arrested the petitioner for being in possession of 4.950 kgs. of dry ganja on 20.07.2023 while conducting raid on the road. This petitioner was sent to judicial remand.

4. Learned counsel appearing for the petitioner would submit that this petitioner had nothing to do with the alleged contraband that was seized and he has been falsely implicated by the Excise Police. He further submits that there are no other cases pending against this petitioner and the said fact is not disputed by the learned Additional Public Prosecutor.

5. Keeping in view that the contraband seized is less than commercial quantity, this Court deems it appropriate to grant the relief of regular bail to this petitioner, subject to following conditions:

i) The petitioner/Accused shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties i.e., one local surety and the other from the native place, for a like sum each to the satisfaction of Special Judicial Magistrate of First Class for Trial of Cases under Telangana Prohibition and Excise Acts-Cum-V Additional Junior Civil Judge, Khammam.

ii) The petitioner/Accused after release shall appear before the concerned Station House

Officer at 10:00 a.m. on every Monday for a period of eight weeks and thereafter, as and when required for the purpose of investigation.

iii) The petitioner/Accused shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

6. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, pending if any, shall stand closed.

Date: 31.08.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 8123 OF 2023

Dt.30.08.2023

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